

**January 5, 1999**

The Honorable Dan Burton  
Chairman  
Committee on Government Reform and Oversight  
2157 Rayburn House Office Building  
Washington, D.C. 20515

Dear Chairman Burton:

As the new Congress begins, I have been hopeful that our Committee would be able to work in a bipartisan way that honors the rights and responsibilities of both the majority and minority members. Given our Committee's unfortunate record of partisanship and rancor in the 105th Congress, I believe all of us -- but especially you and I -- have an obligation to find common ground whenever possible.

We are, unfortunately, off to a bad start. Yesterday, I and the Committee's other minority members received notice that you planned to organize the Committee on January 7, 1999. The timing of this meeting and the lack of notice to minority members presents obvious problems. The House Democratic Caucus has not finished organizing, so there remains some uncertainty as to which Democratic members will be appointed to the Committee. In addition, this late notice leaves no time for the minority members to schedule our own caucus, discuss the proposed Committee rules and subcommittee jurisdictions, and elect members to the subcommittees. Furthermore, conflicting travel plans -- made because we received absolutely no indication there might be a meeting -- mean that several minority members simply will not be able to attend the meeting.

I also object that there has been no consultations with the minority on proposed changes to the Committee rules. For example, the changes you are proposing in subcommittee jurisdictions appear to have been made to accommodate the interests of Republican members. There was no effort to reach agreement on these issues with the Committee's minority members, who are also affected by these changes.

Other changes you are proposing appear to go in the wrong direction and would make the Committee even more partisan than in the last Congress. Specifically, the proposed Committee rules would allow you to unilaterally issue subpoenas without any consultation with the minority. Unlike even the inadequate procedures adopted last year, there is no mechanism in these rules to consider minority objections to the issuance of a subpoena.

The proposed subcommittee ratios are also moving in the wrong direction, with the minority actually having less subcommittee assignments than you proposed at the beginning of 105th Congress even though Democrats gained seats in the House in the last election. In the 104th Congress, under Chairman Clinger, the minority received over 43 percent of the subcommittee assignments. In the 105th Congress -- your first as Chairman -- the minority increased its seats in the House but was allocated under 42 percent of the subcommittee assignments. Under your proposal for the 106th Congress, the minority would have only 40 percent of the subcommittee assignments even though the minority makes up nearly 49 percent of the House.

By providing inadequate notice to the minority members and by the substance of your rule and ration changes, you seem to be sending a clear message that our Committee will be as partisan as it was in the last Congress. I want you to know that I strongly object to the proposed January 7 meeting.

I urge you to reconsider holding this Committee meeting this week and to consult with the minority on these proposed changes before they are brought to the Committee.

Sincerely,

HENRY A . WAXMAN  
Ranking Minority Member

cc: Members of the Committee on Government Reform and Oversight